



Winston H. Hickox
Secretary for
Environmental
Protection

California Regional Water Quality Control Board

North Coast Region



Gray Davis
Governor

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February 3, 2000

AGENDA

REGIONAL WATER BOARD MEETING

9:00 a.m., February 24, 2000
Eureka City Council Chambers
531 K Street
Eureka, California

- i. Roll Call
- ii. Election of Board Chair and Vice Chair for 2000
- iii. Minutes of Past Meetings
- iv. **Public Forum** – Time will be reserved for the general public to address the Board on any subject relating to the Board's responsibilities. The Chair will determine the number of persons who wish to speak. The Chair requests that each person addressing the Board limit their presentation to three minutes. More lengthy items may be calendared for a future meeting.

CONSENT CALENDAR

Note: *The consent items are expected to be routine and noncontroversial. It is recommended that these items be adopted by the Board at the beginning of the meeting without discussion. If any interested party, Board Member, or staff member requests that an item be removed from the Consent Calendar, it will be considered separately.*

1. **City of Rio Dell**, Humboldt County, Renewal of Waste Discharge Requirements, NPDES Permit No. CA 0022748, WDID No. 1B83134OHUM *Terry Dean*
2. **Covelo Community Services District**, Mendocino County, Renewal of Waste Discharge Requirements, NPDES Permit No. CA 0023574, WDID No. 1B83009OMEN *Terry Dean*
3. **State of California, Department of Fish and Game and Pacific Power and Light Company, Iron Gate Hatchery**, Siskiyou County, Renewal of Waste Discharge Requirements, NPDES Permit No. CA 0006688, WDID No. 1A80052OSIS *Manuel Baldenegro*
4. **State of California, Department of Fish and Game and the United States Bureau of Reclamation, Trinity River Salmon and Steelhead Hatchery**, Trinity County, Renewal of Waste Discharge Requirements, NPDES Permit No. CA 0006696, WDID No. 1A80077OTRI *Manuel Baldenegro*

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CORRECTIVE ACTION

5. **PUBLIC HEARING** to consider Recision of Cease and Desist Order No. 94-133 and Renewal of Waste Discharge Requirements, for Redway Community Services District, NPDES Permit No. CA 0022781, WDID No. 1B83147OHUM *Terry Dean*
6. **EXECUTIVE OFFICER'S REPORT**
 - a. Update on Proposed Forest Practice Rules by the Board of Forestry *Frank Reichmuth*
 - b. Update on Timber Harvesting Activities in Freshwater Creek and Elk River Watersheds *Ranjit Gill*
 - c. Historical Summary of TMDL Projects *Dave Evans*
 - d. Redwood Creek TMDL *Bruce Gwynne*
 - e. Update on Cleanup on Union Pacific Waterfront (balloon tract) *Tuck Vath*
 - f. Water Bond AB 1584; the Safe Drinking Water, Clean Water, Watershed Protection, and Flood Protection Act *Craig Johnson*
 - g. Water Quality Coordinating Committee Background and Interest Items *Lee Michlin*
 - h. FY 2001 Governor's Budget *Craig Johnson*
 - i. Clean Water Action Plan Priority Watersheds *Janet Blake*
 - j. Update of Cleanup and Abatement Order No. 99-077 Shasta-Trinity National Forest, Hayfork Ranger District, Dark Canyon Creek culvert replacement *Fred Blatt*
 - k. Other Items of Interest *Lee Michlin*

OTHER BUSINESS

7. Request by the Humboldt Watershed Council and Richard Gienger to Discuss Erosional Problems in the Van Duzen River and Main-stem Eel River, Cumulative Watershed Effects and the Role of the Regional Water Board. *Frank Reichmuth*
8. Executive Officer Administrative Civil Liabilities *Lee Michlin*
9. Violation and Enforcement Report *Craig Johnson*
10. State and Regional Water Board Communications
11. Leaking Underground Storage Tanks/Sewage Spills
12. Proposition 65 Notifications

CLOSED SESSIONS

13. Closed Session. On February 24, 2000, the Regional Water Board will be meeting in closed session to discuss Significant Exposure to Litigation [Authority: Government Code Section 11126(e)(2)(B)(i)].
14. Closed Session. On February 24, 2000, the Regional Water Board will be meeting in closed session to discuss ongoing litigation in the case of the *People of the State of California; California Department of Fish and Game; Department of Toxic Substance Control and the California Regional Water Quality Control Board North Coast Region vs. California Environmental Protection Agency*



North Coast Railroad Authority dba Northwestern Pacific Railroad; Case No. CV80240
[Authority: Government Code Section 11126(e)(2)(A)].

15. Closed Session. On February 24, 2000, the Regional Water Board will be meeting in closed session to discuss Whether to Initiate Litigation. [Authority: Government Code Section 11126(e)(2)(C)(i)].
16. Closed Session. On February 24, 2000, the Regional Water Board will be meeting in closed session to discuss ongoing litigation [Authority: Government Code Section 11126(e)(2)(A)].
17. Closed Session. On February 24, 2000, the Regional Water Board will be meeting in closed session to discuss an Employee Evaluation. [Authority: Government Code Section 11126(a)(1)].

NOTES

Anyone requiring reasonable accommodation to participate in the meeting should contact Ms. Jean Spath, Executive Assistant at (707)576-2307 at least five days prior to the meeting. TTY users may contact the California Relay Service at 1-800-735-2929 or voice line at 1-800-735-2922.

Written comments should be submitted to ensure they will be included in the record before the Board. Oral testimony should be limited to brief summaries of written testimony. Please note time limitations will be imposed on presentations and limited to five minutes unless otherwise determined by the Board Chair.

A copy of the procedures governing Regional Water Board meetings may be found at Title 23, California Code of Regulations, Section 647 et seq., and is available upon request. Hearings before the Regional Water Board are not conducted pursuant to Government Code Section 11500 et seq.

The Regional Water Board processes requests for Water Quality Certification, pursuant to Section 401 of the Clean Water Act, to ensure that proposed federally-permitted activities will comply with the Regional Water Board's water quality standards. A listing of requests which are pending Regional Water Board staff action may be obtained by calling the office of the North Coast Regional Water Board at (707)576-2220. The list may also be obtained by accessing our website at: <http://www.swrcb.ca.gov/~rwqcb1>.

The Regional Water Board provides routine public notice on proposed corrective actions and closure decisions related to cleanup on contaminated sites. These routine notices are published on our website at : <http://www.swrcb.ca.gov/~rwqcb1> and a copy is maintained at our office for public review.

A quorum of the members of the Regional Water Board may recess for lunch; however, no business will be discussed.

Material presented to the Board, as part of testimony that is to be made part of the record must be left with the Board. This includes photographs, slides, charts, diagrams, written testimony, etc. All Board files pertaining to the items on this agenda are hereby made a part of the record submitted to the Regional Water Board by staff for its consideration prior to action on the related items.

All persons who actively support or oppose the adoption of waste discharge requirements or an NPDES permit being considered by the Regional Water Board must submit a statement to the Board disclosing any contribution of \$250 or more to any Regional Water Board Member. This requirement applies to contributions of \$250 or more made by the active supporter or opponent or his/her agent for use in federal, state or local elections within the last 12 months.

Also, all permit applicants and/or persons who actively support or oppose adoption of a set of waste discharge requirements or an NPDES Permit pending before the Regional Water Board are prohibited from making a

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contribution of \$250 or more to any Board Member for three months following a Regional Water Board decision on the permit application.

Any person affected adversely by a decision of the Regional Water Board may petition the State Water Resources Control Board (State Water Board), to review the decision. The petition must be received by the State Water Board within 30 days of the Regional Water Board's meeting at which the action was taken. Copies of the laws and regulations applicable to filing a petition will be provided upon request.

The next Regional Water Board meeting will be held on March 23, 2000 in Santa Rosa, California.



California Regional Water Quality Control Board
North Coast Region

Board Members

Daniel F. Crowley, Santa Rosa
Leslie A. Dahlhoff, Point Arena
William A. Hoy, Weed
James Mitchell, Santa Rosa
Bev Wasson, Rio Nido

Staff

Lee A. Michlin, Executive Officer
Craig R. Johnson, Assistant Executive Officer, Ombudsman
Jean M. Spath, Executive Assistant
Philip G. Wyels, Legal Counsel

Watershed Protection Division

Robert L. Tancreto, Supervising Water Resource Control Engineer
Robert R. Klamt, Senior Land and Water Use Analyst (Upper Russian)
John Short, Senior Water Resource Control Engineer (Lower Russian)
David S. Evans, Senior Water Resource Control Engineer (North Coast)
John R. Hannum, Senior Water Resource Control Engineer (Northern Watershed)

Timber Harvest Division

Frank C. Reichmuth, Supervising Water Resource Control Engineer
Christine Wright-Shacklett, Senior Engineering Geologist (North Coast)
Nathan P. Quarles, Senior Water Resource Control Engineer (Humboldt, Eel)
Fred Blatt, Environmental Specialist IV (Klamath, Trinity)
Ranjit Gill, Environmental Specialist IV (Headwaters)

Cleanup and Investigation Division

Susan A. Warner, Supervising Water Resource Control Engineer
Thomas B. Dunbar, Senior Water Resource Control Engineer (Santa Rosa)
Tuck Vath, Senior Engineering Geologist (Northern Watershed)
Chris Igbinedion, Senior Water Resource Control Engineer (Central Watershed)
Kathleen Daly, Regional Administrative Officer (Administration)
Laurie Applegate, Staff Services Analyst (Administration)



Bill of Rights for Environmental Permit Applicants

The California Environmental Protection Agency (Cal/EPA) endorses the following precepts that form the basis of a permit applicant's "Bill of Rights":

1. Permit applicants have the right to assistance in understanding regulatory and permit requirements. All Cal/EPA programs maintain an Ombudsman to work directly with applicants. Permit Assistance Centers located throughout California have permit specialists from all State, regional, and local agencies to identify permit requirements and assist in permit processing.
2. Permit applicants have the right to know the projected fees for review of applications, how any costs will be determined and billed, and procedures for resolving any disputes over fee billings.
3. Permit applicants have the right of access to complete and clearly written guidance documents that explain the regulatory requirements. Agencies must publish a list of all information required in a permit application and of criteria used to determine whether the submitted information is adequate.
4. Permit applicants have the right of timely completeness determinations for their applications. In general, agencies notify the applicant within 30 days of any deficiencies or determine that the application is complete. California Environmental Quality Act (CEQA) and public hearing requests may require additional information.
5. Permit applicants have the right to know exactly how their applications are deficient and what further information is needed to make their applications complete. Pursuant to California Government Code Section 65944, after an application is accepted as complete, an agency may not request any new or additional information that was not specified in the original application.
6. Permit applicants have the right of a timely decision on their permit application. The agencies are required to establish time limits for permit reviews.
7. Permit applicants have the right to appeal permit review time limits by statute or administratively that have been violated without good cause. For state environmental agencies, appeals are made directly to the Cal/EPA Secretary or to a specific board. For local environmental agencies, appeals are generally made to the local governing board or, under certain circumstances, to Cal/EPA. Through this appeal, applicants may obtain a set date for a decision on their permit and in some cases a refund of all application fees (ask boards and departments for details).
8. Permit applicants have the right to work with a single lead agency where multiple environmental approvals are needed. For multiple permits, all agency actions can be consolidated under lead agency. For site remediation, all applicable laws can be administered through a single lead agency.
9. Permit applicants have the right to know who will be reviewing their application and the time required to complete the full review process.

For further information you may contact the North Coast Regional Water Quality Control Board at (707)576-2220.

